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five year old girl is involved in surgery, malpractice occurs and the girl ends up blind. How are you ever going to prove, how are you ever going to absolutely prove that this little five year old girl would have ever been a doctor or a lawyer or anything, or even lived? How can you ever prove the exact pecuniary, pecunia from Latin which means money, the exact money loss that would be involved? I say you can't and the courts have said you can't. So I think you need a definition that is broad enough to cover every person in the population and look at their situation or damages which might have occurred as the result of malpractice and say, so and so, whether they are a housewife and never held a job, whether they are a child, they are entitled to this amount of damages taking all facts into consideration. So such things as disfigurement, brain damage, all these things in a child, the court could look at and measure and, yes, pain and suffering would be involved certainly to the degree that they affect the individual in attaining an earning capacity, to the degree that they affect him in future life in the performance of their duties. So, Senator Schmit, I would hope that you would substitute your definitions with these definitions, and if that is done, I think I could reasonably support the bill. As I say, it would be extremely difficult without a definition such as this. Would you be willing to accept them?

PRESIDENT: Senator DeCamp, the Chair does not have that language and we don't know where to insert it.

SENATOR DeCAMP: Okay, Senator Schmit has a specific amendment to the Committee amendments. I am offering him this amendment instead of his, and if he accepts this, then that would be a substitute.

PRESIDENT: No, he is going to have Senator Schmit withdraw his.

SENATOR DeCAMP: No, I am not amending an amendment because I am asking Senator Schmit to withdraw his amendment and substitute this for his which then becomes only an amendment to the Committee amendment.

PRESIDENT: Are you doing that at this time, then, Senator Schmit?

SENATOR SCHMIT: Yes, Mr. President.

PRESIDENT: All right. Let the record show then that Senator Schmit withdraws his amendment to the Committee amendment.

SENATOR SCHMIT: No, I will withdraw subsection 4 of the Schmit amendments and then I will speak to the previous portion of that amendment beginning with the words "page 6, line 8."

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Yes, Mr. President, I think I can help